



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/580,859	03/01/2007	Walter Viegner JR.	102475.57672US	8826

23911 7590 06/12/2009  
CROWELL & MORING LLP  
INTELLECTUAL PROPERTY GROUP  
P.O. BOX 14300  
WASHINGTON, DC 20044-4300

EXAMINER
----------

JENNINGS, STEPHANIE M

ART UNIT	PAPER NUMBER
----------	--------------

3725

MAIL DATE	DELIVERY MODE
-----------	---------------

06/12/2009

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/580,859	<b>Applicant(s)</b> VIEGNER ET AL.	
	<b>Examiner</b> Stephanie Jennings	<b>Art Unit</b> 3725	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 26 March 2009.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 9-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 9-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments with respect to the claims have been considered but are moot in view of the new ground(s) of rejection.
2. Applicant's arguments with respect to the drawing objections, see paragraph 2, page 6, filed March 26, 2009, with respect to figures 1 and 2 have been fully considered and are persuasive. The objection of January 7, 2009 has been withdrawn.
3. Applicant's arguments with respect to the drawing objection, see paragraph 3, page 6, filed March 26, 2009, with respect to reference character "A" in figure 1 have been fully considered and are persuasive. The objection of January 7, 2009 has been withdrawn.
4. Applicant's arguments with respect to the abstract objection, see paragraph 5, page 6, filed March 26, 2009, with respect to the abstract have been fully considered and are persuasive. The objection of January 7, 2009 has been withdrawn.
5. Applicant's arguments with regard to the nonstatutory double patenting rejection of claim 9, see pages 7-8, filed March 26, 2009, with respect to claim 9 have been fully considered and are persuasive. The rejection of January 7, 2009 has been withdrawn.

***Claim Rejections - 35 USC § 103***

6. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

7. Claims 9-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wu US Patent Application Publication 2004/0144152.

8. Wu teaches:

9. Limitations from claim 9, a method of making a socket on a pipe (3) made of copper, steel or alloys of Cu, Ni and Fe, by an at least single-step expansion of a pipe end with a large jump in diameter, comprising: introducing an expansion tool (5) axially into the pipe end (paragraph 22), and expanding a region of the pipe end to provide an expanded region of the pipe end with an enlarged wall thickness no earlier than introduction of the expansion tool into the pipe end by a force applied axially to the pipe end while limiting an outer diameter of the pipe end to be processed by way of an upsetting device and at least one shaping shoe at least partially surrounding the pipe end (paragraph 22).

10. Wu discloses expanding an aluminum tube; however it would be an obvious modification to apply the method of Wu's invention to a pipe of a different alloy.

11. Limitations from claim 10, the method as defined in claim 9, wherein the pipe end has a multi-step expansion, and only the expanded region of the pipe end of largest diameter is upset (paragraph 22, lines 3-10).

12. Limitations from claim 11, the method as defined in claim 9, wherein the expanded or the expanded region of the pipe end is upset to such an extent that

Art Unit: 3725

the wall thickness thereof is increased-up to the wall thickness of the previously expanded portion (paragraph 22, lines 10-14).

13. Limitations from claim 12, the method as defined in claim 9, wherein the pipe end is inwardly flanged for receiving sealing elements (paragraph 22).

14. Limitations from claim 13, the method as defined in claim 10, wherein the expanded or the expanded region of the pipe end is upset to such an extent that the wall thickness thereof is increased up to the wall thickness of the previously expanded portion (paragraph 22, lines 10-14).

15. Limitations from claim 14, the method as defined in claim 10, wherein the pipe end is inwardly flanged for receiving sealing elements (paragraph 22).

16. Limitations from claim 15, the method as defined in claim 11, wherein the pipe end is inwardly flanged for receiving sealing elements (paragraph 22).

17. Claims 16-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stephenson et al. US Patent Application Publication 2003/0127774

18. Limitations from claim 16, an apparatus for making a socket on a pipe end having an expanded region with an enlarged wall thickness, comprising: an expansion tool (20) which is axially introducible into the pipe end and which has one cylindrical part (22) adapted to determine a subsequent inner diameter of the pipe end, at least one shaping shoe (106) having conical and cylindrical parts adapted to determine a subsequent outer diameter of the pipe end, and a substantially cylindrically structured upsetting device having a smallest inner diameter which corresponds, with necessary play, to a maximum outer diameter

Art Unit: 3725

of the expansion tool and a substantially radially extending annular shoulder which is pressable axially against an end face of the pipe end during an upsetting step to produce said expanded region of said pipe end with said enlarged wall thickness (paragraphs 41-42).

19. Limitations from claim 17, the apparatus as defined in claim 16, wherein, on its side oriented toward the pipe end, the expansion tool has a cylindrical part which adjoins the shoulder; and having at least one of the upsetting device and the shaping shoe has an inner diameter which determines the greatest diameter of that enlarged outer diameter of a cylindrical part of the pipe end which is reached after the upsetting step (paragraph 45).

20. Limitations from claim 18, the apparatus as defined in claim 17, wherein the diameter of the cylindrical part of the expansion tool corresponds to a maximum inner diameter of the at least one shaping shoe (paragraph 45).

21. Limitations from claim 19, the apparatus as defined in claim 17, wherein an axial length of the expansion tool cylindrical part is no less than a length of a cylindrical part of said shaping shoe (paragraph 38).

22. Limitations from claim 20, the apparatus as defined in claim 18, wherein an axial length of the expansion tool cylindrical part is no less than a length of a cylindrical part of a said shaping shoe. (paragraph 38)

### ***Conclusion***

23. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

Art Unit: 3725

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stephanie Jennings whose telephone number is (571) 270-7392. The examiner can normally be reached on Monday-Thursday, 7 am - 5:30 pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dana Ross can be reached on (571) 272-4480. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3725

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/S. J./  
Examiner, Art Unit 3725  
June 10, 2009

/Dana Ross/  
Supervisory Patent Examiner, Art  
Unit 3725